

Readopt with amendment Bar 101.29, effective 8-3-03 (document number 7932), to read as follows:

Bar 101.29 "Sanitize" means to disinfect by means of a product registered with the Environmental Protection agency (EPA) as a tuberculocidal disinfectant and/or ultra violet light **containing UVC**.

Amend Bar 301.09 (b), effective 12-12-07 (document number 9047), to read as follows:

Bar 301.09 Application for a Shop License.

(b) The applicant shall submit the following to the board on or with the application for a shop license:

- (1) The name and address of the shop, in accordance with RSA 313-A:19, I;
- (2) The name and address of the shop owner, in accordance with RSA 313-A:19, I;
- (3) The owner's barber, cosmetologist, esthetician, manicurist or master barber license number, if applicable;
- (4) The name and address of the shop manager if applicable;
- (5) The manager's barber, cosmetologist, esthetician, manicurist or master barber license number, if applicable;
- (6) Proof of one year of work experience in accordance with Bar 305.01 (c)(1) through (5);
- (7) Signature of the shop owner and current date; [and]
- (8) The owner, and manager if applicable, shall complete the same information as required by Bar 301.01 (b) (5) and (b) (6);**
- (9) Signature of the manager, if applicable, and current date; and**
- (10) A check, money order, or cash in the amount of \$50.00.**

Amend Bar 302.05 (q), effective 6-9-06 (document number 8655), to read as follows:

(q) [Before use upon] **After** each patron, each whirlpool, foot spa, or spa shall be cleaned and disinfected as follows:

- (1) All water shall be drained and all debris removed from the spa basin;
- (2) The spa basin shall be disinfected by filling spa basin with water and by circulating:
  - a. Two tablespoons of automatic dishwashing powder and ¼ cup of 5.25% chlorine bleach to one gallon of water through the unit for 10 minutes; or
  - b. Surfactant or enzymatic soap with an EPA-registered disinfectant with bactericidal, fungicidal, and viricidal activity which is used according to manufacturer's instructions through the unit for 10 minutes;
- (3) The spa basin shall be drained and rinsed with clean water; and
- (4) The spa basin shall be wiped dry with a clean towel.

Amend Bar 302.05, effective 6-9-06 (document #8655) by inserting new paragraphs (y) and (z) so that Bar 302.05 (y) and (z) are cited and read as follows:

Bar 302.05 School and Shop Additional Requirements

**(y) Shops required to have a manager must notify the Board immediately if the current manager leaves and assign a new manager as required by RSA 313-A:19, IV.**

**(z) The notification required by (y), above, shall include the following:**

- (1) Manager proof of one year work experience in accordance with Bar 305.01 (c) (1) through (5);**
- (2) Manager shall complete the same information as required by Bar 301.01 (b) (5) and (b) (6); and**
- (3) Manager must write a letter indicating they will accept the manager's position and signature.**

Amend Bar 302.07 (g), effective 11-5-08 (document number 9314), to read as follows:

(g) A licensee shall not:

- (1) Apply methyl methacrylate (MMA) monomer on a person;
- (2) Use product in any other manner than that product's intended use;
- (3) Use a variable speed electrical nail file on the natural nail unless it has been specifically designed for use on the natural nail;
- (4) Use a blade to remove any corns, callouses, or skin;
- (5) Diagnose any medical condition or treat any medical condition unless referred by a physician;
- (6) Provide any service unless they have received training prior to performing the service;
- (7) Perform services on a client if the licensee has reason to believe the client has any of the following:
  - a. A communicable disease;
  - b. A contagious condition;
  - c. An inflamed, infected, broken, raised or swollen skin or nail tissue; or
  - d. An open wound or sore in the area to be worked on that would contraindicate the efficacy of the service;
- (8) Use any adulterated chemical exfoliating substances; [or]
- (9) Use carbolic acid also known as phenol over 2% strength;
- (10) Alter a license issued by the board[.] **or**
- (11) Use an animal to perform any service. Including, but not limited to, worms, insects, fish, amphibians, reptiles, birds, and mammals.**

Amend Bar 302.07 (h), effective 11-5-08 (document number 9314), to read as follows:

(h) The licensee shall:

- (2) Request, in writing, a duplicate license, from the board if they loses their license, alter their license, or work in more than one location by providing:
  - a. His/her name and address;
  - b. One passport photo; [and]
  - c. A copy of a photo ID;**

- d. The same information as required by Bar 301.01 (b) (5) and (b) (6); and**

[c]e. A check, money order, or cash in the amount of \$15.00.

Amend Bar 302.07 (m), effective 11-5-08 (document number 9314), to read as follows:

(m) [Prior to] **After** each service, the licensee shall ensure that the surface(s) of all equipment that comes indirect contact with clients skin, including manicuring tables, pedicure basin, mats, and cushions, shall be cleaned and sanitized.

Amend Bar 302.07, effective 11-5-08 (document #9314) by inserting new paragraphs (t)-(w) so that Bar 302.07 (t)-(w) are cited and read as follows:

**Bar 302.07 Licensee**

**(t) Licensees who wish to perform a service at a location other than a shop licensed in accordance with RSA 313-A:19 and the board's administrative rules shall submit a written request to the board, which includes:**

- (1) The service to be provided;**
- (2) The date and location the service will be provided;**
- (3) The name of the charitable organization or individual in need;**
- (4) The reason for providing service at an unlicensed location;**
- (5) Evidence of how the licensee will provide for the health and safety of the consumer; and**
- (6) The signature of the licensee.**

**(u) The board shall approve or deny the above request within 60 days of receipt of the request.**

**(v) The board shall approve a request only if:**

- (1) The board finds that approval of the requested shall not jeopardize the health and safety of the public; and**

**(2) The board determines that the event is to benefit a charitable organization or individual in need.**

**(w) The board shall deny a request only if:**

**(1) The board finds the health and safety of the public is jeopardize; and**

**(2) The board determines that the event is to benefit the licensee.**

Amend Bar 401.01, effective 12-12-07 (document #9047) by inserting new paragraphs (i) so that Bar 401.01 (i) reads as follows:

**(i) In addition to the requirements of Bar 401.01(b), (c), and (g) barbers, cosmetologists, estheticians, manicurists, apprentices, and school instructors shall provide a copy of a photo ID if the licensee does not have their renewal.**

**APPENDIX**

<b>Rule</b>	<b>State or Federal Statutes</b>
Bar 101.29	RSA 313-A:8
Bar 301.09 (b)	RSA 313-A:9, RSA 313-A:16 and RSA 313-A:19
Bar 302.05 (q)	RSA 313-A:8, X; RSA 313-A:19
Bar 302.05 (y) & (z)	RSA 313-A:19, IV
Bar 302.07 (g)	RSA 313-A:8, X
Bar 302.07 (h)	RSA 313-A:8, X
Bar 302.07 (m)	RSA 313-A:8, X
Bar 302.07 (t)-(w)	RSA 313-A:8 XIV
Bar 401.01 (i)	RSA 313-A:20